DO THE RULES EVER CHANGE?
August 30, 2009

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Psalm 42
James 1:22–27
Mark 7:1–8

"Why do your disciples not live according to the tradition of the elders?"
Mark 7:5 (NRSV)

New occasions teach new duties;
time makes ancient good uncouth.
They must upward still and onward,
who would keep abreast of truth.

James Russell Lowell
1845

The nation paused yesterday to remember the life and service of Senator Edward Kennedy and to ponder the story of a family that has given so much to our nation. Apart from partisan politics—and Kennedy himself was a vigorous partisan—it is, I think, appropriate to recognize and give thanks for the spirit of public service that his family has exhibited: his older brother Joseph, killed in a World War II bombing mission; his older brother John, President Kennedy, inspired many of us to reconsider and recognize the goodness of service, assassinated; his brother Robert, Senator Kennedy, became an important voice for the poor and disadvantaged, killed by an assassin; his older sister Eunice, who gave her life to developmentally challenged individuals and founded the Special Olympics. Senator Edward Kennedy served forty-six years in the U.S. Senate, longer than all but two others; authored 300 bills; and continued the tradition of speaking for the marginalized. Whether or not you agreed with his politics, Teddy Kennedy modeled courage—and overcame adversity, some of it self-inflicted—and personal civility that is so absent in much political discourse. There were, of course, poignant personal moments caught by the television coverage of his memorial service but nothing, I thought, quite like the presence of Republican colleagues former President Bush, Senator Hatch, Senator McCain, who had disagreed, argued, contended with him, but who respected and were grateful for his long devotion to our country.

Lord of all nations, we give thanks for the life and work of Senator Edward Kennedy, for the devotion to family and country he and his brothers and sisters exhibited. Bless his family and keep them, and bless all who love and serve our nation. Now startle us with your truth and open our hearts and our minds to your word: in Jesus Christ our Lord. Amen.

Years ago, a good friend of mine, a Presbyterian minister, pastor of a church in Indiana, was called to account before the Presbytery for breaking a rule. The Presbytery, in the Presbyterian tradition, is a regional body composed of clergy and lay representatives of all its congregations, and it functions in our system as a kind of corporate bishop. John was bright, eloquent, with a great sense of humor. He was a good preacher and pastor. His church was thriving; he was a good and effective minister. John's wife was seriously mentally ill—for years depressed, suicidal, in and out of mental hospitals. When I met John, his wife was more or less permanently institutionalized because of repeated attempts to take her life. Psychiatrists told John that she simply could not be married to him: that who he was was part of a very complex dynamic with which she could not cope. He should get a divorce. At the time there was a rule on the books that a Presbyterian minister could not be divorced. So John carried on, for years taking care of his church, caring alone for his three children, one of whom, an adolescent boy, was legally blind and needed special care. And then he fell in love; there were rumors. He began the process of asking the Presbytery to suspend the rules and allow him to divorce and remarry. That meeting is seared into my memory. The discussion went on for a long time. Some agreed that under the circumstances John should be allowed to divorce and start again. Others said, "A rule is a rule. If we make exceptions, the whole system might collapse." Some of the speakers were pretty judgmental, self-righteous I thought at the time. John sat there and listened to it all. When the vote came, the decision was to deny his request. He had either already broken one rule and was asking to break another—rules the church was convinced were right, moral, faithful to God and scripture, and absolutely essential. John either would have to give up the woman or his ministry. He chose to demit his ordination. And then personal trouble started. He had difficulty finding a job to support his family, tried a number of things, finally selling encyclopedias door to door. Bills mounted: he couldn't afford the special help his son required. He started to feel guilty, then angry, then depressed. I talked to him several times during all of this, as his spirit declined and his depression deepened. He fell further and further behind. The future looked bleak. And then one morning John resolved his dilemma: closed the garage door, sat in the driver's seat of his car, turned on the ignition . . . It has been almost forty years, and I think about it still, a lot: the meeting, the vote, the rule, the loss.

It's a complicated topic and always has been. Do the rules ever change?

There is a story in the Bible that asks that question and points us in the direction of an answer. Did you ever encounter a family argument happening in public, in an airport waiting area, for instance? You want to get away as quickly as possible, but you can't resist listening in (Dawn Ottomi-Wilhelm, *Feasting on the Word*). The Gospel of Mark, the seventh chapter, invites us to listen in on what is essentially a family argument. After a long, hard day, Jesus and his disciples are finally alone and enjoying a meal together. Mark doesn't say where they are exactly or what they are eating. He does tell us that Pharisees and scribes from Jerusalem are there watching, a kind of Truth Squad. Jesus has a growing reputation for treating the holy Law of Moses, the Torah, and the customs of his religion a little loosely, and the Pharisees and the scribes are there to make certain the rules are obeyed. And sure enough some of Jesus' friends are so hungry that they neglect to wash their hands—a clear rule in their law that has both sanitation significance and, far more importantly, ritual and religious significance. Washing your hands publicly is one of the ways you claim your identity as a Jew and your commitment to being a faithful Jew, keeping covenant with God by attention to the Torah, the Law of Moses.

It's a family argument. They're all Jews. Jesus is a Jew. And he is not at all happy with his interrogators. The question they ask him is not a question at all. It's an accusation: "Why do your disciples not live according to the tradition of the elders? Why aren't they obeying the rules?" So he takes them on, makes a serious counteraccusation: not that the rules are wrong or irrelevant but that sometimes they are used to avoid their purpose, which is to bring a person into closer relationship with God and neighbor. Jesus invokes the prophet Isaiah, using words the Pharisees and scribes know as well: "This people honor me with their lips, but their hearts are far from me."

God wants something more than following the purity rules.

Modern Christians have a hard time with the multitude of rules and laws in the Hebrew scriptures, particularly what is called the Purity, or Holiness, Code, found in the Old Testament books of Leviticus and Numbers. Some of those rules now make good sense. It is, after all, a good idea to wash your hands before eating. It's a good idea, during flu season, to wash your hands many times a day. The ancient law includes rules and regulations about eating and sleeping, about animals and crops, planting and harvesting, rules about marrying and birthing and raising children, rules about working, trading, worshiping—page after page after page of rules and regulations. It's called the Holiness Code, and it comes from the time when the people of Israel had recently escaped from Egyptian slavery. These rules—this Holiness, or Purity, Code—are a kind of survival technique for a small and weak tribe of people wandering around in the wilderness, surrounded by

powerful enemies. The Law, the Torah, was how one affirmed who one was, a people set apart (which is what “holiness” means) in covenant with the God who had created them, chose them, and led them out of Egypt to be God’s special people. It is still important to our Jewish neighbors.

A. J. Jacobs, a secular Jew and popular author, decided on a whim to try to live by the law of Moses, every bit of it, literally, every day for a year and write a book. He observed that most literalists—or fundamentalists—pick and choose the rules that support their agenda. Not him. He’d live by the whole thing. The book he wrote, *A Year of Living Biblically*, is fascinating, funny, sometimes hilarious, outrageous, and finally poignant. Before he wrote the book, Jacobs never took his religion very seriously, says he was Jew in about the same way that Olive Garden is an Italian restaurant. Almost in spite of himself, in the midst of trying to live by all the rules—an unkempt beard, no mixed fabrics in his clothes, tassels on his coat, pebbles in his hand to throw at the shoes of anyone the law said should be stoned but he didn’t want to hurt anyone—he begins to get it: begins not to demean but appreciate his own religious tradition, begins to wonder if he’s been missing something important about being human, like listening to Beethoven or falling in love.

Jesus doesn’t criticize the hand-washing rules. But he does strenuously challenge the Pharisees to go deeper, to attend to the spirit of the law, not just its particulars.

The late Walker Percy said it is possible to get an “A” in ethics and flunk life.

I love the old story about a Church of Scotland moderator, visiting mission outposts with two other clergy officials in a remote area of Southeast Asia. They visited an elder in his small home; the man was so honored he got out his favorite pipe and tobacco he had been keeping for an important occasion, and offered the moderator and the officials the pipe. The officials refused, saying they didn’t smoke. The moderator took a puff or two. Then the elder offered a draught of whiskey to the visitors. The two officials refused, saying they didn’t drink. But the moderator downed the whiskey. Afterwards the moderator’s colleagues chided him about smoking and drinking, saying, “We don’t smoke or drink. Why did you do that?” To which the moderator replied, “Someone had to be a Christian back there.”

William Sloane Coffin called the Pharisees prissy and said they reminded him of a story he heard once about a grade school teacher who “sent little Joey home with a note informing his parents that the boy had poor habits of personal cleanliness. Before returning to school, she said, he had to be properly washed. Instead of a scrubbed-up kid, however, what the teacher got in return was another note, saying: ‘Never mind about Joey’s face and

neck. Joey's no rose. But your business ain't to smell him but to learn him'" (*Collected Sermons*, volume 2, p. 89).

Sometimes in the process of abiding by the rules, you miss the point—earn an "A" in ethics and flunk life. In 1966 Joseph Fletcher, a professor of social ethics at Episcopal Theology School, Cambridge, Massachusetts, wrote a book that became a bombshell: *Situation Ethics: The New Morality*. Roundly condemned by religious and political conservatives as an abandonment of traditional values and a capitulation to the culture, the book was read and appreciated by many people. It's not a perfect book, but it was, and is, very helpful in suggesting that ethical decisions are always situational, based on both the law and what is happening at the moment. That's not new, Fletcher said. It has always been the way responsible ethical decisions are made, beginning with Jesus himself, who repeatedly violated the rules of his own religion about with whom he should associate, with whom he should break bread, whom he should touch and heal and befriend.

Fletcher said that there are essentially three methods for making ethical decisions:

> The first is legalism. The rules are the rules, and that's that, always applicable, never variable. It's pretty clear that no one actually does that, that everybody picks and chooses and interprets. The Bible, A. J. Jacobs observes, prescribes stoning for a variety of offenses, including talking back to your parents. Nobody I know ever did that—but on occasion I have thought about it.
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> The second method is antinomianism: no law, the exact opposite of legalism. Do whatever you want to do: "If it feels good, do it." Ernest Hemingway, who did think seriously about the question, once said far too cavalierly about morality, "What's good is what I feel good after, and what's bad is what I feel bad after" (Fletcher, p. 54). That's antinomianism: no rules; do whatever you want to do and damn the consequences.
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> The third way, Fletcher said, was situational. It takes the law, the rules, the conventions, and traditions seriously. It also takes the situation, whatever it is, equally seriously. And then exercising freedom and responsibility makes a decision. Sometimes it is neither simple nor easy.

President Truman's decision to drop atomic bombs on Hiroshima and Nagasaki, for instance.

Dietrich Bonhoeffer, a distinguished scholar, wrote a major work on Christian ethics during the 1930s in which he said, "The question of the good is posed and decided in the midst of each definite, yet unconcluded,

unique, and transient situation in our lives, in the midst of our living relationships . . . in the midst of our historical circumstances" (Fletcher, p. 33; *Ethics* p. 185).

Bonhoeffer, after a monumental moral and spiritual struggle—he was a pacifist—joined a conspiracy to assassinate Adolf Hitler, to commit murder.

Ethical decisions are always situational. Fletcher illustrates with difficult examples: French Resistance fighters murdering Nazi officials, forging documents, lying, cheating, stealing for the cause of their liberation; President Truman listening to a special committee of military and scientific advisors—some of whom were opposed to dropping the bomb, some of whom assured the president that Japan would never surrender and that the planned invasion of Japan would result in millions of casualties—and making, for better or worse, one of the most difficult moral decisions in all of history.

Of course rules change. Or better said, the rules are an important part of the moral decision-making process but so is the situation.

And sometimes religious rules need to change and do. Jack Rogers, retired professor of theology at San Francisco Seminary and also Fuller Seminary, is an evangelical Christian with evangelical credentials. Jack's position on homosexuality was the same position as that of most people, myself included, just a few decades ago. The Bible says it's wrong, so it's wrong. And then Jack was asked by the church he attends to be a part of a task force to study the issue, because our church, the Presbyterian Church (U.S.A.), and every other denomination was becoming embroiled in a potentially very controversial and divisive issue about whether gay and lesbian people could be ordained as elders and deacons, become ministers. Jack thought he knew the answer, really didn't want to deal with it or talk about it, but finally agreed to be part of the project. The long and short of it was that Jack changed his mind. He wrote a book describing his remarkable journey and advocating eloquently for full inclusion, a book in which he says, "I wasn't swayed by the culture or pressured by academic colleagues. I changed my mind by going back to the Bible and taking seriously its central message for our lives" (*Jesus, the Bible, and Homosexuality,* p. 15).

In the book he wrote—*Jesus, the Bible, and Homosexuality: Explode the Myths, Heal the Church*—Jack traces other occasions when the rules did change. For instance, prior to and after the Civil War, leading theologians of the Presbyterian Church in the South and other denominations as well were absolutely confident that Africans were cursed and that slavery was deserved and also good for them. They quoted the Bible to support their case. After the war, Presbyterian theologians rose to the occasion and

argued for keeping races separate, in society and in church, and quoted the Bible to support their position.

Jack points out that the Apostle Paul was certain that women should not speak in church, should be silent, submissive to their husbands, and keep their heads covered. God treats Eve harshly in the creation story, much more harshly than Adam, and for most of twenty centuries the church had clear rules, with biblical texts to support them, that excluded women from serving as leaders or ministers.

In those instances and others—about divorce and remarriage, for instance—rules changed when the church let go of its absolute certainty, based more on cultural conventions, took a longer and deeper look at its scriptures and its own best traditions and most important values, and changed its mind and its rules.

We are in the midst of it again in regard to same-sex relationships. The churches are all struggling with it: the Episcopal Church, the United Church of Christ, and just two weeks ago the Evangelical Lutheran Church in America changed its mind and rules. The Lutheran church, hardly a bastion of free-thinking liberalism, did what I deeply wish and pray our Presbyterian church could do (and one day will): namely, be open and honest about what the Bible says and does not say on the subject, acknowledge that Jesus never mentioned it, acknowledge that we know a lot today we didn't know before about human sexuality and sexual orientation, that the very least we could do is welcome and fully include men and women who have been faithful Presbyterian Christians, church members, and leaders all their lives, and, as the Lutherans will now do, trust local congregations to make responsible and faithful moral decisions. It is time for rules to change: time to provide for and encourage faithful same-sex relationships, to allow them, encourage and nurture them, sanctify and bless them.

I've been reading and thinking a lot about John Calvin, the sixteenth-century reformer and founder of the Reformed-Presbyterian tradition. This year marks the 500th anniversary of his birthday. Calvin was a brilliant scholar, lawyer; when it came to morality, he was inclined to be a strict legalist. But he also wrote eloquently that human beings are justified by God, saved not by how many rules they obey, but by God's grace in Jesus Christ. We are saved by faith through grace, Martin Luther said, and Calvin agreed: not works, not by how many rules we have obeyed, prayers prayed, masses said, indulgences bought, not even by all the evil and sin and immorality we have avoided, but by the grace of God in Jesus Christ our Lord. Then, scholar that he was, Calvin pushed on. If human beings are saved by grace, not by obeying rules and religious laws, if God loves us that much, perhaps God wants more of us than rote obedience. Perhaps what

God wants from us is responsibility, moral decisions made in freedom, which comes when you are sure of God's love and grace.

Those are powerful and radical ideas. Presbyterian theologian William Stacy Johnson, in a new book, says that Calvin's ideas about freedom invite us to think beyond the limits of present reality to what might be (*John Calvin: Reformer for the Twenty-First Century,* pp. 70–71). Calvin envisioned, in the freedom from the law, from the structures and mandates and requirements of the medieval church, a different kind of church: a church that welcomes and affirms and includes all; a church that means what it says when it affirms that God loves us all—each of us—as if there were only one of us to love; a different church that invests its energy and passion and precious resources in serving neighbors, healing broken people, proclaiming God's life-giving love instead of arguing about who is good enough to be ordained.

And we are free to envision a different world in which children do not die of hunger or waste away because we have not provided for their education and health, a world where nations invest as much in peace as they invest in war.

Yes, thanks be to God, the rules change, and yes, God has created you and me to be responsible moral agents, making decisions that reflect the one thing that never changes, the one unchanging, eternal absolute: God's unconditional love for the world, for you, for me, for every one of us, in Jesus Christ our Lord.

Amen.